

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance by reason of the presence of decomposed tomato material.

DISPOSITION: July 15, 1952. Consent decree of condemnation and destruction.

18888. Adulteration of tomato juice. U. S. v. 9 Cases * * *. (F. D. C. No. 33096. Sample No. 22494-L.)

LIBEL FILED: April 24, 1952, Western District of Texas.

ALLEGED SHIPMENT: On or about September 17, 1951, by the Bercut-Richards Packing Co., from Sacramento, Calif.

PRODUCT: 9 cases, each containing 48 5½-ounce cans, of tomato juice at San Antonio, Tex.

LABEL, IN PART: "Sacramento Brand California Tomato Juice."

NATURE OF CHARGE: Adulteration, Section 402 (a) (3), the product consisted in whole or in part of a decomposed substance.

DISPOSITION: June 4, 1952. Default decree of forfeiture and destruction.

OILS AND FATS

18889. Adulteration and misbranding of table and cooking oil. U. S. v. 20 Cases * * *. (F. D. C. No. 32627. Sample No. 15724-L.)

LIBEL FILED: On or about January 28, 1952, Western District of Missouri.

ALLEGED SHIPMENT: On or about December 12, 1951, by the Chicago Macaroni Co., from Chicago, Ill.

PRODUCT: 20 cases, each containing 6 1-gallon cans, of table and cooking oil at Kansas City, Mo.

LABEL, IN PART: "Italy Brand Table Oil Blend An Excellent Composition of Eighty Per Cent of Corn Oil and Twenty Per Cent of Imported Olive Oil."

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), cottonseed oil with little or no olive oil had been substituted for a blend of 80 percent corn oil and 20 percent olive oil.

Misbranding, Section 403 (a), the label statement "An Excellent Composition of Eighty Per Cent of Corn Oil and Twenty Per Cent of Imported Olive Oil" was false and misleading.

DISPOSITION: April 25, 1952. A default decree was entered, and the court ordered that the product be delivered to charitable institutions.

18890. Adulteration and misbranding of table and cooking oil. U. S. v. 20 Cases * * *. (F. D. C. No. 32640. Sample No. 35503-L.)

LIBEL FILED: February 1, 1952, District of Minnesota.

ALLEGED SHIPMENT: On or about October 26, 1951, by the Chicago Macaroni Co., from Chicago, Ill.

PRODUCT: 20 cases, each containing 6 1-gallon cans, of table and cooking oil at St. Paul, Minn.

LABEL, IN PART: "Italy Brand Table Oil Blend An Excellent Composition of Eighty Per Cent of Corn Oil and Twenty Per Cent of Pure Olive Oil."

NATURE OF CHARGE: Adulteration, Section 402 (b) (1), a valuable constituent, olive oil, had been in whole or in part omitted from the product; and, Section 402 (b) (2), oil in the nature of corn oil containing little or no olive oil had

been substituted for a blend of 80 percent corn oil and 20 percent pure olive oil.

Misbranding, Section 403 (a), the label designation "Twenty Per Cent of Pure Olive Oil" was false and misleading.

DISPOSITION: April 9, 1952. A default decree was entered, and the court ordered that the product be delivered to charitable institutions or be destroyed.

18891. Adulteration and misbranding of olive oil and table and cooking oil.

U. S. v. 58 Cans, etc. (F. D. C. No. 32544. Sample Nos. 14772-L, 14773-L, 14776-L, 14777-L.)

LABEL FILED: On or about February 27, 1952, Western District of Missouri.

ALLEGED SHIPMENT: On or about November 13, 1951, by the Chicago Macaroni Co., from Chicago, Ill.

PRODUCT: 58 1-gallon cans of olive oil and 40 1-gallon cans of table and cooking oil at Kansas City, Mo.

LABEL, IN PART: "Extra Cyrilla 1-Gallon Virgin Imported Pure Olive Oil" or "One Gallon Italy Brand Table Oil Blend An Excellent composition of eighty per cent of corn oil and twenty per cent of imported olive oil."

NATURE OF CHARGE: Table and cooking oil. Adulteration, Section 402 (b) (1), a valuable constituent, olive oil, had been in whole or in part omitted; and, Section 402 (b) (2), a mixture of corn oil and cottonseed oil with little or no olive oil had been substituted in whole or in part for a blend of 80 percent corn oil and 20 percent olive oil. Misbranding, Section 403 (a), the label designation "twenty per cent of imported olive oil" was false and misleading since the product contained little or no olive oil.

Olive oil and table and cooking oil. Misbranding, Section 403 (e) (2), the products failed to bear labels containing accurate statements of the quantity of the contents. (The cans were short of the declared volume.)

DISPOSITION: April 2, 1952. A default decree was entered, and the court ordered that the products be delivered to an institution for the aged.

18892. Adulteration and misbranding of table and cooking oil. U. S. v. 24

Cases * * * (and 1 other seizure action). (F. D. C. Nos. 32827, 32891. Sample Nos. 35451-L, 35462-L.)

LABELS FILED: February 27 and March 18, 1952, Southern District of Iowa.

ALLEGED SHIPMENT: On or about February 26, 1951, and January 22, 1952, from Chicago, Ill.

PRODUCT: 27 cases, each containing 6 1-gallon cans, of table and cooking oil at Des Moines, Iowa.

NATURE OF CHARGE: Adulteration, Section 402 (b) (2), a vegetable oil containing little or no olive oil had been substituted for a blend of 80 percent vegetable oil and 20 percent pure olive oil, which the article was represented to be.

Misbranding, Section 403 (a), the label statement "20 Percent of Pure Virgin Olive Oil" was false and misleading as applied to the article, which contained little or no olive oil.

The article was alleged to be adulterated and misbranded while held for sale after shipment in interstate commerce.

DISPOSITION: June 11, 1952. The Western Food Corp., Chicago, Ill., having filed an answer denying that the product was adulterated or misbranded and having subsequently withdrawn its answer, judgment of condemnation was entered and the court ordered that the product be destroyed.